

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Harou Togashi, et al.  
Serial No. : 09/890,498  
For : RECORDING APPARATUS AND METHOD  
Filed : July 31, 2001  
Examiner : Dunn, Mishawn N.  
Art Unit : 2621  
Confirmation No. : 4795

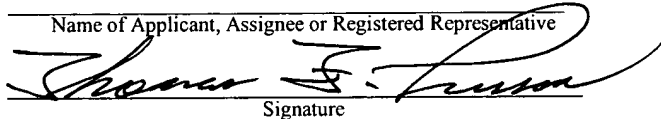
745 Fifth Avenue  
New York NY 10151

**FIRST CLASS MAIL CERTIFICATE**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on July 27, 2006.

Thomas F. Presson, Reg. No. 41,442

Name of Applicant, Assignee or Registered Representative



Signature

July 27, 2006

Date of Signature

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION (37 C.F.R. 1.321(b) and  
STATEMENT UNDER 37CFR 3.73(b))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Further to the Response filed on July 27, 2006, Applicants submit this Terminal Disclaimer and Statement and a check in the amount of \$130.00 as payment of the Terminal Disclaimer fee. The below-named attorney of record, authorized to act on the behalf of the assignee of record, hereby disclaims the terminal part of the entire patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of

U.S. Patent Application Serial No. 09/890,497 ("the '497 Application") and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the '497 Application. This agreement is to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns. The undersigned further states that 100% of the title to the present application is in Sony Corporation, a Japanese corporation, by virtue of an assignment from the inventors. The assignment was recorded on July 31, 2001 at reel 012054, frame 0470.

The evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the '497 Application, in the event that: the '497 Application later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

Please charge any insufficient fees or credit any overpayment associated with this Terminal Disclaimer to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



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